



New Jersey Department of Children and Families Policy Manual

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| Manual: | NJAC | NJ Administrative Code Excerpts | Effective Date: |
| Title | 10 | Human Services | |
| Chapter | 133G | Client Information | 5/21/2007 |
| Subchapter: | 2 | Disclosure Of Client Information To A Client | |
| Section | 2 | Child welfare information (N.J.A.C. 10:133G-2.2) | |

§10:133G-2.2 Child welfare information

(a) Each child welfare client is entitled to know what information is being collected, how it is used, and who has access to the information, except as limited in N.J.A.C. 10:133G-2.2(b) and (d), 2.3, and 2.5.

(b) No current or former client shall have unrestricted review of the Division records or general access to the information contained therein, except as otherwise provided by statute or court rule.

(c) A client currently or formerly receiving services may inspect or copy his or her own records as they relate to financial eligibility for or receipt of benefits, assistance, or services.

(d) A Division representative shall disclose to a current or former client other child welfare information from the client's records to the extent that the client makes a reasonable demonstration of the need to know. In general, each Division representative shall consider the client's statement of the need for the information as a reasonable demonstration, unless the Division representative has a compelling reason not to disclose the requested information, such as when the Division representative determines that disclosure of such information would be likely to endanger any person's life or safety. The determination shall be based on the Division representative's and his or her supervisor's professional judgment or that of another professional who has evaluated the nature and seriousness of the case and an assessment of the client's propensity for violence and harm as based on the client's known past behavior and threats against himself, herself, or others. If the Division representative denies the disclosure of the child welfare information to the client, the Division representative shall:

1. Give the client a verbal explanation of the reason for denial; and
2. Outline the reasons for denial in writing and make this a part of the client's record.

(e) Whenever there is reason to believe that a request for examination or copying of records is made in connection with a claim for compensation or

damages against the State of New Jersey or State employees, the Attorney General shall be notified prior to honoring the request. The Office of Legal Affairs shall make the notification for the Division.

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